

Daniel Webster

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

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MARYLAND SHALL ISSUE, INC., :  
et al., :  
: Case No:  
Plaintiffs : 16-cv-3311-MJG  
:   
-vs- : Pages 1 - 337  
:   
LAWRENCE HOGAN, in his :  
capacity of Governor of :  
Maryland, et al., :  
:   
Defendants :  
-----X

Deposition of Daniel Webster, Ph.D.  
Washington, D.C.  
Wednesday, June 13, 2018

Reported by: Kathleen M. Vaglica, RPR, RMR  
Job No: 409352

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EXHIBIT  
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1           A.    No, they are not the same.  So no, none of  
2   those states are exactly like Maryland.  So one  
3   similarity between Connecticut and Maryland is that  
4   they both require, they both require safety training  
5   before you can get it.  They both require  
6   fingerprinting.  They both require, in addition to  
7   having a valid permit or license, that at a point of  
8   sale there is still an initial background check  
9   done.

10               Those are the things that I can recall  
11   right now that are similar between Connecticut  
12   and -- the issuance is different in that Connecticut  
13   you go directly to the law enforcement agency as  
14   opposed to Maryland.

15           Q.   All right.  And do you know what the  
16   requirements for the training in Connecticut are  
17   compared to Maryland?

18           A.   They are longer I know.  I know the course  
19   requirement is, like, an eight-hour course as  
20   opposed to a four-hour course.

21           Q.   They require the basic NRA pistol course  
22   or equivalent; correct?

1           A.    I think that's right, yes.

2           Q.    Do you know the difference between the NRA  
3    basic pistol course and the Maryland training  
4    requirements?

5           A.    I don't.

6           Q.    And the fingerprinting requirement in  
7    Connecticut has to be obtained through a law  
8    enforcement agency; correct? You actually have to  
9    go to --

10          A.    Yes.

11          Q.    -- a law enforcement agency to give your  
12    fingerprints unlike Maryland; correct?

13          A.    Yes, mm-hmm.

14          Q.    And Connecticut requires a photo for its  
15    permit; correct?

16          A.    Yes.

17          Q.    Now, you didn't mention that as a  
18    requirement of Maryland. Do you know whether or not  
19    Maryland requires a photo on its Handgun  
20    Qualification License?

21          A.    Well, I don't think they require a photo  
22    that's done, you know, when you're applying. No, I

1 requirement include Connecticut, Hawaii, Iowa,  
2 Massachusetts, Michigan, again, with the caveat that  
3 I already mentioned, New Jersey, New York, and  
4 District of Columbia.

5 Q. And you've done some study on the PTP law  
6 in Missouri; correct?

7 A. Yes.

8 Q. And that was repealed some years ago; am I  
9 correct?

10 A. Yes. Effective August 28, 2007.

11 Q. And that's never been reinstated in  
12 Missouri?

13 A. That's correct.

14 Q. And what did it require in terms of the  
15 elements of training? Was training required in  
16 Missouri under the old PTP law there?

17 A. I don't believe it was.

18 Q. And was fingerprinting required?

19 A. No.

20 Q. But they -- the individuals obtaining  
21 their PTP in Missouri under the old law did have to  
22 appear at a law enforcement agency; correct?

1 A. Yes, they did. Yes.

2 Q. And so a critical difference between  
3 Maryland and Missouri is that Maryland requires  
4 training and fingerprinting, which Missouri did not?

5 A. Yes.

6 Q. But Missouri required in-person appearance  
7 at a law enforcement agency, which Maryland does  
8 not; is that correct?

9 A. That's correct.

10 Q. And Connecticut requires training like  
11 Maryland, but much more training; correct?

12 A. Well, in terms of hours, double the hours,  
13 yeah.

14 Q. And maybe not any live fire at all?

15 A. Yeah, I don't remember for Connecticut.

16 Q. And Connecticut requires a photo ID, but  
17 Maryland doesn't; correct?

18 A. Correct.

19 Q. And Connecticut requires that the permit  
20 application be submitted in person at a law  
21 enforcement agency, and Maryland does not; correct?

22 A. Correct.

1 going to purchase a handgun, you needed to get a  
2 permit. And that was always step one. I think  
3 that's the most important.

4 Q. And that was a permit that you had to  
5 apply directly to a law enforcement agency in  
6 Missouri to get; correct?

7 A. Yes.

8 Q. Unlike Maryland?

9 MR. SCOTT: Objection.

10 THE WITNESS: Correct.

11 BY MR. SWEENEY:

12 Q. And Missouri didn't require fingerprinting  
13 like Maryland requires fingerprinting, did it?

14 A. That's right.

15 Q. And it didn't require training either;  
16 correct?

17 A. That's correct.

18 Q. So, if we're looking for a common  
19 denominator, there's only one common denominator  
20 between the Missouri PTP law and the HQL, and that's  
21 the requirement of a permit in order to purchase; am  
22 I correct?

1           A.     Yes.

2           Q.     Do any of the components of the Firearms  
3     Safety Act, other than the HQL, not have any effect  
4     on firearms violence?

5           A.     I have to go through all of these  
6     provisions.

7           Q.     Just the ones you talked about.  Would  
8     they not have any effect at all or do you think  
9     they'd have some effect on preventing firearms?

10          A.     I think some effects.  Some of them would  
11     be more gradual than others.  So, for example, like  
12     an enhanced regulatory capacity for State Police  
13     with respect to licensed gun dealers, it may be that  
14     is a more gradual effect as compliance increases and  
15     the degree to which the State Police demonstrate  
16     that there are consequences to not following the  
17     laws.

18                 So that is sort of a question mark of how  
19     quickly that might impact laws.  The data we have  
20     about licensing suggests that, when you have a new  
21     law, there's generally some impact that grows a  
22     little bit over time, but that's my own opinion is

1 by Collins and colleagues this year they found  
2 that -- and I can pull it up probably quickly here  
3 or it's actually in my report. Anyway, they made  
4 distinctions between fingerprinting, discretionary  
5 permitting, so there's only three states that allow  
6 some discretion meaning, even if you don't meet a  
7 disqualifier, if something is, there's a red flag,  
8 so to speak, in someone's record, they can use  
9 discretion to deny. That's the most restrictive  
10 form of licensing with fingerprinting and then all  
11 other licensing.

12 And, basically, there was a dose response  
13 kind of effect that the strongest effects were for  
14 those that allow discretion. Second strongest was  
15 those that required fingerprinting.

16 Q. So in your own studies of Missouri and  
17 Connecticut and Maryland under PTP laws, have you  
18 been able to identify any, a special value to  
19 fingerprinting as opposed to the other elements of  
20 the PTP law in effect in a particular jurisdiction?

21 A. Not with those three separate studies I  
22 can't say that we have. Basically, what we've done,



1 both require safety training, and they both require  
2 fingerprints. So those two things, and they also  
3 require a point of sale background check  
4 requirement. So they are similar in those three  
5 respects.

6 BY MR. SWEENEY:

7 Q. And Missouri doesn't require those?

8 A. That's correct.

9 Q. So the three only have in common that the  
10 permit to purchase is required; correct?

11 MR. SCOTT: Objection.

12 THE WITNESS: Among all three, I will  
13 agree that what you said is factually correct.

14 BY MR. SWEENEY:

15 Q. And that Maryland differs from Missouri  
16 and Connecticut in that regard because, unlike  
17 Missouri and Connecticut, it does not require a  
18 direct application to law enforcement in order to  
19 obtain that permit; correct?

20 MR. SCOTT: Objection.

21 THE WITNESS: I'm not sure what to do.

22 MR. SCOTT: I'm objecting to the question.